

**MINUTES OF THE MEETING
OF THE
BOARD OF OCCUPATIONAL THERAPY**

May 25, 2005

CALL TO ORDER

Brenda Coppard, Chairperson, called the meeting of the Board of Occupational Therapy to order at 9.10 a.m., Wednesday, May 25, 2005, in Conference Room LL-C, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of the Meeting Agenda prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services at least twenty-four (24) hours prior to the meeting.

Roll Call

The following Board members, HHSS Staff and visitors were present at the meeting:

Brenda Coppard, Chairperson
Christina Bueide, Vice-Chair
R. McLaren Sawyer, Consumer Member
Lisa Scheet, Professional Member, connected via telephone

Diane Hansmeyer, Section Administrator
Sue Kopera Crumb, Credentialing Specialist
Julie Liebrock, Licensee Assistance Program
Ladonna Shippen, RAID

Adoption of the Revised Agenda

Sawyer moved, seconded by Scheet, to adopt the agenda as presented. Voting aye: Coppard, Sawyer, Bueide and Scheet. Voting Nay: None. Motion carried.

Approval of Minutes

Sawyer moved, seconded by Bueide, to approve the board minutes for February 7 and March 3, 2005. Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried.

Licensee Assistance Program

Hansmeyer introduced Julie Liebrock, Coordinator for the Licensee Assistance Program (LAP). The Nebraska LAP provides professional alcohol/drug assessments, treatment recommendations and referrals, education and case management or monitoring for anyone who holds a license, certificate, or registration from the State of Nebraska. These services are designed to help identify and obtain appropriate treatment for alcohol/drug abuse or addiction. Liebrock emphasized that all LAP services are free of charges. Liebrock stated that LAP could also do pre-licensure evaluations for professionals who may have substance abuse patterns or problems.

Liebrock said that LAP does a quarterly report as well as a year-end report with breakdowns by profession and substance. Liebrock stated that LAP does a quarterly newsletter that is shared

with many different professions and could be shared with the Nebraska Occupational Therapy Association.

Liebrock left the meeting at 9:28 a.m.

Physical Agent Modality Providers

Sawyer moved, seconded by Scheet, to create a regulation that provides for PAMs Provider applications to be reviewed every six (6) months. The Board will choose the dates for review. Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried.

The Board reviewed the compiled evaluation summary of each provider's submitted courses. Scheet moved, seconded by Bueide to approve EnduraCare's courses titled Physical Agent Modalities Level One: Superficial Thermal Agents; Physical Agent Modalities Level Two: Deep Thermal Agents; and Physical Agent Modalities Level Three: Electrotherapy Agents. In addition, the Board recommends that EnduraCare add a question to their test bank to cover the superficial thermal agents objective 10 "Can the clinician differentiate between mild, moderate and vigorous dosages of heat?" Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried.

Sawyer moved, seconded by Bueide to approve PAMPCA's course titled "Physical Agent Modalities Practitioner Credentialing Course" submitted with the provision that PAMPCA add to their certificate of completion the date(s) the course was taken and the number of contact hours; that they provide a description of practicum procedures for the deep thermal and electrotherapeutic training; and the Board recommends that a question be added to the superficial thermal agents test bank pertaining to objective 13, "Guidelines for educating the client and/or family in the purpose, benefit and potential risk(s) of the modality". Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried.

Recessed at 10:20 a.m.

Reconvened at 10:35 a.m.

Sawyer moved, seconded by Bueide to approve Advanced Rehabilitation Services course titled "Clinical Application in the Use of Physical Agent Modalities Level: Basic/Introductory" in its entirety. Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried. In addition, Hansmeyer will talk with them to ensure they understand that it is the entire course that is approved and it cannot be broken down as separate courses.

Sawyer moved, seconded by Bueide to approve PAMPCA's on-line examinations as the recognized examinations for five years of experience certification for PAMs. Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried. Hansmeyer will inform PAMPCA of the two other approved courses for certification and that they are acceptable for continuing education.

PROPOSED REGULATIONS

Physical Agent Modalities

The Board discussed the proposed regulations for physical agent modality certification. The changes are:

- Add the fee
- Add effective date of the law
- Remove 1A from page 3
- Add that the Board will review PAMs provider applications every 6 months, beginning 6 months after the rules & regulations go into effect
- Add the name of the PAMPCA test and application process

The Board will review the changes to the regulations at their next board meeting. Shippen suggested that the proposed regulations be sent out to all licensees at the same time the notice for public hearing is sent to the Secretary of State. This will allow thirty (30) days for licensees to send written comments or to testify at the public hearing.

It was suggested that a wall certificate be issued in lieu of a wallet card since this is a non-expiring certification.

Bueide moved, seconded by Sawyer, to approve July 16, 2004 as the earliest date that training may have been taken to qualify for physical agent modality certification. Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried. The Board chose this date because it was the effective date of the law that authorized certification.

Shippen left the meeting at 11:40.a.m.

Recessed at 10:20 a.m.

Reconvened at 10:35 a.m.

Sawyer moved, seconded by Bueide, to approve Advanced Rehabilitation Services as a provider for the entire course that is offered. Voting aye: Bueide, Coppard, Sawyer and Scheet. Voting Nay: None. Motion carried.

OT Code of Ethics

The Board adopted the OT Code of Ethics.

Scope of Practice Question:

Hansmeyer stated that she received a letter from Janelle Cook who wanted to know if the Occupational Therapy Practice Act allowed an occupational therapist to perform an Fiber-optic Endoscopic Evaluation of Swallowing (FEES) in conjunction with and ENT. Ms. Cook stated that the occupational therapy staff attended a special training course to learn to participate with this evaluation. The Board stated that this procedure was allowed pursuant to the following:

(a) Neb. Rev. Stat. § 71-6103 (10)(a) Occupational therapy means the use of purposeful activity with individuals who are limited by physical injury or illness, psychosocial dysfunction, developmental or learning disabilities, or the aging process in order to maximize independent function, prevent further disability, and achieve and maintain health and productivity.

(b) Occupational therapy encompasses evaluation, treatment, and consultation and may include (i) remediation or restoration of performance abilities that are limited due to impairment in biological, physiological, psychological, or neurological processes, (ii) adaptation of task, process, or the environment, or the teaching of compensatory techniques, in order to enhance performance, (iii) disability prevention methods and techniques which facilitate the development

(c) or safe application of performance skills, and (iv) health promotion strategies and practices which enhance performance abilities;

Ms. Cook also asked if occupational therapist could bill for this procedure. The Board did not answer this question, as it is a question for an insurance company.

Bueide moved, seconded by Scheet, that in the opinion of the Board, FEES is within the scope of practice for Occupational Therapy pursuant to Neb. Rev. Stat. § 71-6103 (10)(a) (b). Voting aye: Bueide, Coppard, Sawyer, and Scheet. Voting Nay: None. Motion carried

Mission and Objectives of Credentialing Division

Hansmeyer updated the Board on the missions and objectives of the Credentialing Division. Hansmeyer discussed the outcomes and measures for consumers, licensees, licensing boards, contractors, private or governmental agencies, provider associations, and federations and councils.

Hansmeyer stated that a survey is being developed and would be sent to the Board. The focus of the survey is "Does the Credentialing Division provide you with the tools necessary to do your job as a board member?"

OLD BUSINESS

None

NEW BUSINESS

All Health Care Related Board Members' Meeting

The ***All Health Care Related Board Members' Meeting*** will be held on June 10, 2005 from 8:30 a.m. until 4:00 p.m. at Mahoney State Park in Ashland, Nebraska. Hansmeyer encouraged all Board members to attend.

NBCOT National Conference

Sawyer moved, seconded by Scheet, that all members of the Board attend the national meeting. Voting aye: Bueide, Coppard, Sawyer, and Scheet. Voting Nay: None. Motion carried.

MISCELLANEOUS

The next board meeting will be held on Wednesday, July 20, 2005 at 9:00 a.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:30 p.m.

Respectfully submitted,

Christine Bueide, Vice-Chair